



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Ave., S.E.
Washington, DC 20590

AUG 12 2008

Mr. Zach Krapfl
Cannondale Sports Group
World Headquarters
4902 Hammersley Road
Madison, WI 53711

Ref. No.: 08-0173

Dear Mr. Krapfl:

This is in response to your July 8, 2008 letter concerning the appropriate classification of an electric bicycle powered by a lithium-ion battery under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You state that the battery used to power the bicycle contains 20.79 grams of equivalent lithium content. Further, you state that the battery is in the process of being tested pursuant to the requirements of the UN Manual of Tests and Criteria, Fourth Revised Edition. Specifically, you ask if your electric bicycle equipped with a lithium-ion battery may be classed and described as "Battery powered vehicle" or "Battery powered equipment" (UN3171) under the HMR.

The answer is yes. An electric bicycle powered by a lithium-ion battery is most appropriately described as a "Battery-powered vehicle" under the HMR. A vehicle powered by a lithium battery must satisfy the requirements of § 173.220(d), which requires the battery to be of a type that has successfully passed each test in the UN Manual of Tests and Criteria as specified in § 173.185, unless approved by the Associate Administrator.

I hope this information is helpful.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Gorsky".

Susan Gorsky
Acting Chief, Standards Development
Office of Hazardous Materials Standards



CANNONDALE SPORTS GROUP™

Eichenlaub
§173.220
§173.185
Batteries
08-0173

July 8, 2008

DELIVERED VIA EMAIL

Mr. Edward Mazullo
Director of Hazardous Materials Standards
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Mazullo:

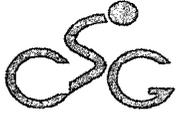
I am writing to request confirmation from your office that our electric bicycle powered by a lithium ion battery can be classified and shipped as a Battery powered vehicle or Battery powered equipment (UN3171). Exhibit A on the following page contains a picture of the bicycle.

The lithium ion battery that will be used to power the electric bicycle contains 20.79 grams of equivalent lithium content (ELC). The battery is in the process of being tested pursuant to the requirements in the UN Manual of Tests and Criteria, Fourth Revised Edition.

Our electric bicycle is similar in many respects to a Segway in that it is a mobility device. In 2005, your office issued a letter stating that a Segway powered by a lithium ion battery may be classified and shipped as a Battery powered vehicle pursuant to 49 CFR 173.220 of the U.S. hazardous materials regulations. (See Ref. No. 05-0076.) Therefore, we are of the opinion that the correct classification for the electric bicycle with a lithium ion battery installed is Battery powered vehicle or Battery powered equipment (UN3171). This would be consistent with the language contained in Special Provision 134 that states "*Examples of such items are electrically-powered cars, lawn mowers, wheelchairs, and other mobility aids.*" (Emphasis added.) This classification also is consistent with how these types of bicycles are being packaged and offered for transport in Europe where these products are widely used.

Therefore, please confirm in writing that our electric bicycle shipped with a lithium ion battery installed may be classified and shipped as a Battery powered vehicle or Battery powered equipment (UN3171).

world headquarters
4902 hammersley road
madison, wi 53711
p 608.268.2468
f 608.268.2466
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CANNONDALE SPORTS GROUP™

Thank you for your assistance on this matter. If you have any questions regarding our electric bicycle or lithium ion battery, I can be reached at 303.651.6255.

Sincerely,

Zach Krapfl

Zach Krapfl

EXHIBIT A



world headquarters
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madison, wi 53711
p 608.268.2468
f 608.268.2466
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